IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CWP No.185 of 1988

Date of Decision: 17.1.2007

Balraj Singh Sekhon .....Petitioner

Versus

The State of Punjab and another .....Respondents

CORAM:- HON'BLE MR.JUSTICE S. D. ANAND

Present: None for the petitioner.

Mr.BS Chahal, AAG Punjab for respondents 1 and 2.

Mr.Sunil Nehra, Advocate for respondents 3 to 5.

S.D.ANAND, J.

1. Learned counsel for official respondents informs that the petitioner has already been appointed to the Punjab Civil Services (Executive Branch) vide order dated 30.6.1990, though subject to the decision of Civil Writ Petition No.6018 of 1987, titled "Dilbag Rai Vermani Versus State of Punjab. In support of the averment, he has also placed on record an attested photo copy of the order dated 30.6.1990 issued by the Government of Punjab which is taken on record.

2. There is a plea in the written statement filed by official respondent No.1 that the name of the petitioner could not be recommended in view of the following orders passed by this Court in Civil Writ Petition No.6373 of 1987 (Niranjan Singh Versus State of Punjab and others):

> "Notice of motion for 9th October, 1987. In the meantime, one vacancy be kept reserved for the petitioner till further orders."

3. In that context, the following facts are beyond the pale of controversy, as between the official and also the private respondents. Civil Writ Petition No.6373 of 1987 came to be allowed by this Court on 17.2.1988. It is reported as 1988 (4) SLR 203. That judgment quashed the order dated 4.5.1987 directing exclusion of name of Niranjan Singh, petitioner in that case from the relevant list. The State of Punjab and other official respondents were directed to consider the name of Niranjan Singh for appointment to the PCS (Executive Branch) in accordance with the rules. The State preferred an LPA against that order. In terms of the orders passed by this Court in LPA, the name of Niranjan Singh was forwarded to the Punjab Public Service Commission for the vacancy which occurred during 1980 and 1982, but his name was not approved by the Punjab Public Service Commission every time. Niranjan Singh has retired from the service in the meantime. There is no further order by the Court dealing with the LPA.

4. None has turned up today to prosecute the petition on behalf of the petitioner. It is apparent from the facts aforementioned that the present petition has become infructuous which shall stand disposed of accordingly.

(S. D. ANAND)
JUDGE

January 17, 2007
SRM